

**CIVIL CALENDAR FOR: Tuesday, January 17, 2012 at 10:00 A.M.**

**ATTENTION COUNSEL: ALL JURIES FOR CASES TO BE TRIED THIS TERM WILL**

**BE SELECTED ON Tuesday, January 17, 2012 AT 10:00 A.M.  
COURTROOM 3 - Mailed: 12/8/11**

---

**Notice To Counsel**

**1. By Tuesday, December 27, 2011 at 4:00 P.M. the parties are required:**

- (a) To discuss the possibility of settlement.
- (b) To exchange copies of exhibits, number and become acquainted with all exhibits and agree to the extent possible on the authenticity of exhibits.
- (c) To agree upon the issues for the jury if possible and file three copies with the court (if counsel cannot agree, each party should submit its own proposed issues)
- (d) To file a trial brief, a joint statement of the issues remaining for trial, request for voir dire and proposed jury instructions.
- (e) To file proposed findings of fact and conclusions of law in all non-jury matters.

**2. You will be expected to comply with the provisions of the pretrial order regarding trial preparation. COUNSEL ARE NOTIFIED THAT FAILURE TO COMPLY WITH DEADLINES WILL RESULT IN SANCTIONS.**

**3. All cases are subject to call for trial when reached, regardless of their position on the calendar, and All Juries will be selected on Tuesday, January 17, 2012**

**4. Issue any needed subpoenas immediately upon receipt of the calendar.**

**5. When presenting judgments or orders for the trial judge's signature, you are required to submit them in .RTF (Rich Text Format) or WordPerfect format via CyberClerk. If you are not a registered ECF user, or if are appearing pro-se, you need to show that you have sent copies to opposing counsel and to submit the original and three copies for the use of the Court, plus sufficient copies for all counsel of record in the case. Upon entry of the judgment, the Clerk will at that time serve the filed copies to counsel.**

**6. Exhibits: Parties are expected to use presentation technology available in the courtroom to display evidence to the jury. Training on the equipment should be arranged well in advance of trial with the courtroom deputy. See "Courtroom Technology" link on the district website at [www.ncwd.uscourts.gov](http://www.ncwd.uscourts.gov). Counsel shall provide in electronic format any exhibits of documents, photographs, videos, and any other evidence that may be reduced to an electronic file, for the use of Court personnel and the Court's Jury Evidence Recording System (JERS) during trial. Documents and photographs shall be in .pdf, .jpg, .bmp, .tif, or .gif format; video and audio recordings shall be in .avi, .wmv, .mpg, .mp3, .wma, or .wav format. Each electronic exhibit shall be saved as a separate, independent file, and provided to the Court on a storage device, such as cd, dvd, or flash drive. Exhibit files shall be named consistent with their order and name on**

the exhibit list. For example:

Exhibit 1 - photograph of....

Exhibit 2(a) - contract

Exhibit 2(b) - video deposition of....

7. If you have or discover a serious objection to trial which you think ought to result in a postponement, please file your motion to continue electronically, in writing if you are not a registered ECF user, or if you are appearing pro-se.

---

UNITED STATE DISTRICT COURT FOR  
THE WESTERN DISTRICT OF NORTH  
CAROLINA CHARLOTTE DIVISION  
**THE HONORABLE GRAHAM C. MULLEN**  
**PRESIDING INDEX OF TRIALS**

**Case Number**

**Name of Case**

3:08cv35

Ella B. Scarborough v. Equity Holding Corp, et al.